

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUNIAN JOHNSON,

Defendant.

**8:15CR234
8:15CR237**

ORDER

Defendant Junian Johnson (Johnson) appeared before the court on December 16, 2015, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 2 - 8:15CR234 and Filing No. 2 - 8:15CR237). Johnson was represented by Assistant Federal Public Defender Michael F. Maloney and the United States was represented by Assistant U.S. Attorney Jeremy K. Anderson. Through his counsel, Johnson waived his right to a probable cause hearing on the Petitions pursuant to Fed. R. Crim. P. 32.1(a)(1). I find the Petitions allege probable cause and Johnson should be held to answer for a final dispositional hearing before Senior Judge Joseph F. Bataillon.

The government moved for detention. Through counsel, Johnson declined to present any evidence or request a hearing on the issue of detention. Since it is Johnson's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Johnson has failed to carry his burden and that Johnson should be detained pending a dispositional hearing before Senior Judge Bataillon.

IT IS ORDERED:

1. A final dispositional hearing will be held before Senior Judge Joseph F. Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 11:00 a.m. on March 11, 2016**. Defendant must be present in person.

2. Defendant Junian Johnson is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 16th day of December, 2015.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge